



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/820,893

04/08/2004

Seppo Rousu

NKO.034.A1

8892

76385 7590 06/08/2009

Hollingsworth & Funk, LLC
8009 34th Avenue South
Suite 125
Minneapolis, MN 54425

EXAMINER

TAYLOR, BARRY W

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

06/08/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/820,893	Applicant(s) ROUSU ET AL.	
	Examiner Barry W. Taylor	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-20, 22-32, 34-41, 43-46 and 48-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 41 is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-20, 22-32, 34-40, 43-46 and 48-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-9,12, 15, 19-20, 22-25, 28-30,38,45,48-54 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733 hereinafter Sandhu) in view of Vij et al (2005/0153724 hereinafter Vij).

Regarding claim 1. Sandhu teaches a data communication method in a communication system (abstract), comprising:

transmitting and receiving speech and/or data by means of a mobile device of the communication system and by using a predetermined transmission resource (col. 2 lines 34-35, col. 2 lines 58-61, col. 7 lines 35-41, col. 8 lines 11-17),

Art Unit: 2617

determining the location of the mobile device of the communication system (col. 2 lines 36-38),

in response to the transmitting of speech and/or data by the mobile device, transmitting, with the speech or data, information about the location of the mobile device (col. 4 lines 58-62, col. 7 lines 35-41, col. 8 lines 11-17) to a predefined group of users currently connected to a network element of the communication system (col. 5 lines 35-65).

Sandhu does not show receiving a response acknowledgement about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted.

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts** or **group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted (see paragraphs 0030-0033 wherein using **user-initiated point-to-point alerts**, a user presses a PTT button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other

Art Unit: 2617

members in a predefined group may also receive the “Ack” so that they to can be informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Regarding claims 25 and 45. Sandhu teaches a data communication method in a communication system, comprising:

transmitting and receiving speech and/or data by means of a mobile device of the communication system and by using a predetermined transmission resource (col. 2 lines 34-35, col. 2 lines 58-61, col. 7 lines 35-41, col. 8 lines 11-17),

determining the location of the mobile device of the communication system (col. 2 lines 36-38),

in response to the transmitting of speech and/or data by the mobile device, transmitting, with the speech or data, information about the location of the mobile device (col. 4 lines 58-62, col. 7 lines 35-41, col. 8 lines 11-17) to a predefined group of users currently connected to a network element of the communication system (col. 5 lines 35-65),

taking predefined privacy levels assigned to predefined groups or to users belonging to predefined groups into account in the transmission of the information (col. 5 lines 53-65).

Sandhu does not show receiving a response acknowledgement about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted.

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts or group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted (see paragraphs 0030-0033 wherein using **user-initiated point-to-point alerts**, a user presses a PTT button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other members in a predefined group may also receive the “Ack” so that they to can be informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Regarding claim 28. Sandhu teaches a mobile device, comprising
location determining means for determining the location of the mobile device (col. 2 lines 36-38),

a transmitter for transmitting, with speech or data, information about the location of the mobile device in response to transmitting speech or data by the mobile device to a predefined group of users currently connected to a network element of a communication system (col. 2 lines 34-35, col. 2 lines 58-61, col. 7 lines 35-41, col. 8 lines 11-17).

Sandhu does not show a receiver for receiving a response acknowledgement about the location of at least one of the users of the predefined group, to which the information about the location of the mobile device was transmitted.

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts or group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the

Art Unit: 2617

information about the location of the mobile device was transmitted (see paragraphs 0030-0033 wherein using **user-initiated point-to-point alerts**, a user presses a PTT button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other members in a predefined group may also receive the “Ack” so that they to can be informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Regarding claim 38. Sandhu teaches a telecommunication system, comprising
at least first and second mobile devices (figure 1),
at least one network element (figure 1),
means to determine the location of a mobile device (col. 2 lines 36-38, see GPS receiver in figure 2),

transmitting means in the first mobile device for transmitting, with speech or data information about the location of the first mobile device to a predefined group of users currently connected to a network element in response to transmitting speech or data by

Art Unit: 2617

the first mobile device (col. 2 lines 34-35, col. 2 lines 58-61, col. 7 lines 35-41, col. 8 lines 11-17), wherein predefined privacy levels assigned to predefined groups or to users belonging to predefined groups are taken into account in the transmission of information about the location of the first mobile device (col. 5 lines 53-65), and receiving means for receiving a response acknowledgement including information about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted,

wherein the at least one network element is configured to receive information about the location of the first mobile device, and to store the information (see database at server in figure 4).

Sandhu does not show receiving means for receiving a response acknowledgement including information about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts or group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted (see paragraphs 0030-0033 wherein using **user-initiated point-to-point alerts**, a user presses a PTT

Art Unit: 2617

button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other members in a predefined group may also receive the “Ack” so that they to can be informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Regarding claim 2. Sandhu teaches wherein the determining step further comprises: determining the location in the mobile device (col. 2 line 36).

Regarding claims 3 and 30. Sandhu teaches wherein the determining step further comprises: determining the location using a satellite positioning system (col. 2 line 37).

Regarding claims 4 and 29. Sandhu teaches establishing a packet switched connection between the mobile device and a network element of the communication system as the predetermined transmission resource (see item 32 in figure 3).

Regarding claim 5. Sandhu teaches transmitting information about the location in response to a command given by the user of the device (col. 2 lines 39-43).

Vij also teaches user presses button to transmit presence and/or location information (paragraphs 0030-0033).

Regarding claim 6. Sandhu teaches detecting a change in the location of the mobile device; transmitting information about the location on the basis of the detection (col. 3 lines 2-5, col. 6 lines 11-14)..

Regarding claim 7. Sandhu teaches wherein the mobile device is participating in a group call (col. 5 lines 38-43, col. 8 lines 11-12).

Vij also teaches group call (paragraphs 0001, 0003, 0014, 0019).

Regarding claim 8. Sandhu teaches wherein the predefined group of users is participating in a group call (col. 5 lines 38-43, col. 8 lines 11-12).

Vij also teaches group call (paragraphs 0001, 0003, 0014, 0019).

Regarding claim 9. Sandhu teaches wherein at least one user of the predefined group of users receives the information about the location using a mobile device (col. 2 lines 34-35).

Vij also teaches at least one user of the predefined group of users receives the information about the location using a mobile device (abstract, paragraphs 0001, 0003, 0014, 0019).

Regarding claim 12. Sandhu teaches wherein at least one packet comprising information about the location is transmitted among speech or data packets (col. 2 lines 39-43, col. 7 lines 37-39).

Regarding claim 15. Sandhu does not show detecting a pressing of a predetermined key of the mobile device, activating speech transmission on the basis of the detection.

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts** or **group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted (see paragraphs 0030-0033 wherein using **user-initiated point-to-point alerts**, a user presses a PTT button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other members in a predefined group may also receive the “Ack” so that they to can be informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the PTT button with guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Regarding claim 19. Sandhu teaches wherein each device participating in the group call transmits information about its location to a predetermined participant in the group call (col. 2 lines 39-43), and the predetermined participant in the group call transmits the information about the location of each device to all participants (col. 2 lines 58-62). The Examiner equates the service provider with the predetermined participant.

Regarding claim 20. Sandhu teaches wherein the time when location was determined is included in the location information (col. 4 line 66 – col. 5 line 2).

Regarding claim 22. Sandhu teaches transmitting location information to the network element, and storing location information in the network element (col. 2 lines 39-43 and figure 4).

Regarding claim 23. Sandhu teaches wherein the location information is sent without intervention by the user of the device (col. 4 lines 58-66).

Regarding claim 24. Sandhu teaches wherein the information about the location of the mobile device is used as input information for an application running in a mobile device or a computer (col. 3 lines 6-10).

Regarding claim 48. Sandhu teaches updating and maintaining the predefined group of users by a presence server (col. 6 lines 24-29).

Vij also teaches maintaining the group of users by a presence server (paragraphs 0036-0037).

Regarding claim 49. Sandhu teaches storing the location information (item 46 figure 4) and the identities of the users of the predefined group by individual network elements (item 42 figure 4).

Regarding claim 50. Sandhu does not show the response acknowledgement at a display of the mobile device.

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts** or **group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted (see paragraphs 0030-0033 wherein using **user-initiated point-to-point alerts**, a user presses a PTT button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other members in a predefined group may also receive the “Ack” so that they to can be informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the PTT button with guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Regarding claim 51. Vij teaches wherein the response acknowledgement is sent from the network element (see paragraphs 0036-0038 wherein the network sends ACK to target users to update the status of users on their buddy list) including the location information of the predefined group of users which is updated within a predetermined time interval.

Regarding claim 52. Sandhu does not show wherein the response acknowledgement is sent by the predefined group of users including the location information of the predefined group of users.

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts** or **group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted (see paragraphs 0030-0036 wherein using **user-initiated point-to-point alerts**, a user presses a PTT button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other members in a predefined group may also receive the “Ack” so that they to can be

Art Unit: 2617

informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the PTT button with guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Regarding claim 53. Sandhu does not show wherein the response acknowledgement includes location information for at least one device controlled by a user of the predefined group.

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts or group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted (see paragraphs 0030-0036 wherein using **user-initiated point-to-point alerts**, a user presses a PTT button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other members in a predefined group may also receive the “Ack” so that they to can be

Art Unit: 2617

informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the PTT button with guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Regarding claim 54. Sandhu teaches wherein the information about the location of the mobile device is transmitted by a dedicated protocol between the mobile device and the network element or between the mobile device and mobile devices of the predetermined group of users (col. 4 lines 58-62).

Vij also teaches wherein the information about the location of the mobile device is transmitted by a dedicated protocol between the mobile device and the network element or between the mobile device and mobile devices of the predetermined group of users (see paragraphs 0030-0033 wherein mobile to mobile communication disclosed and paragraphs 0034-0036 wherein mobile to presence server disclosed).

Regarding claim 56. Sandhu teaches wherein the network element requests authentication of a terminal before sharing information from the network element (col. 5 lines 20-25).

2. Claims 10, 14, 18, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733 hereinafter Sandhu) in view of Vij et al (2005/0153724 hereinafter Vij) further in view of Liou (6,941,147).

Regarding claim 10. Sandhu in view of Vij so not show wherein at least one user of the predefined group of users receives the information about the location by using a personal computer.

Liou also teaches a user presses a button on a "Pocket PC" (see col. 1 lines 15-37) and location information is sent with the audio signal (col. 4 lines 33-49). Liou also teaches information about the location of the mobile device can be sent as a separate message (see col. 5 lines 7-20 wherein communication system can send request to the mobile device and the mobile device can automatically send location feedback information to the network which is important when the user is unable to activate the button).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teaching of Sandhu in view of Vij to remote control a "Pocket PC" incorporated with a GPS unit as taught by Liou in order to allow the network to remotely activate the GPS controller when the user is unable to do so as disclosed by Vij.

Regarding claim 14. Sandhu in view of Vij do not show wherein the information about the location of the mobile device is sent as a separate message.

Liou also teaches a user presses a button and location information is sent with the audio signal (col. 4 lines 33-49). Liou also teaches information about the location of the mobile device can be sent as a separate message (see col. 5 lines 7-20 wherein communication system can send request to the mobile device and the mobile device

Art Unit: 2617

can automatically send location feedback information to the network which is important when the user is unable to activate the button).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teaching of Sandhu in view of Vij to remote control the GPS unit as taught by Liou in order to allow the network to remotely activate the GPS controller when the user is unable to do so as disclosed by Vij.

Regarding claim 18. Sandhu in view of Vij do not show receiving a location query from the system, and determining and transmitting information about the location of the mobile device in response to the query.

Liou also teaches a user presses a button and location information is sent with the audio signal (col. 4 lines 33-49). Liou also teaches information about the location of the mobile device can be sent as a separate message (see col. 5 lines 7-20 wherein communication system can send request to the mobile device and the mobile device can automatically send location feedback information to the network which is important when the user is unable to activate the button).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teaching of Sandhu in view of Vij to remote control the GPS unit as taught by Liou in order to allow the network to remotely activate the GPS controller when the user is unable to do so as disclosed by Vij.

Regarding claim 32. Sandhu in view of Vij do not show a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, means to activate speech transmission on the basis of the detection.

Liou also teaches a user presses a **button on a "Pocket PC"** (see col. 1 lines 15-37) and location information is sent with the audio signal (**col. 4 lines 33-49**). Liou also teaches information about the location of the mobile device can be sent as a separate message (see col. 5 lines 7-20 wherein communication system can send request to the mobile device and the mobile device can automatically send location feedback information to the network which is important when the user is unable to activate the button).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teaching of Sandhu in view of Vij to remote control a "Pocket PC" incorporated with a GPS unit as taught by Liou in order to allow the network to remotely activate the GPS controller when the user is unable to do so as disclosed by Vij.

3. Claims 11, 13, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733 hereinafter Sandhu) in view of Vij et al (2005/0153724 hereinafter Vij) further in view Delprat (5,511,072).

Regarding claim 11. Sandhu in view of Vij do not show wherein at least one packet comprising information about the location replaces at least one speech or data packet.

Delprat teaches speech or data is replaced with a signaling message (col. 1 line 60 – col. 2 line 3) so that receiving stations can easily determine if the message comprises speech or data. Delprat further teaches sending information concerning

Art Unit: 2617

encryption mode and synchronization to enable users joining an encrypted group call in mid-call to decrypt the received signal (col. 6 lines 11-20).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu in view of Vij to include information concerning encryption mode and synchronization as taught by Delprat in order to enable users joining an encrypted group call in mid-call to decrypt the received signal.

Regarding claim 13. Sandhu in view of Vij do not show wherein each packet comprises information about whether it contains speech, data or information about the location of the mobile device.

Delprat teaches speech or data is replaced with a signaling message (col. 1 line 60 – col. 2 line 3) so that receiving stations can easily determine if the message comprises speech or data. Delprat further teaches sending information concerning encryption mode and synchronization to enable users joining an encrypted group call in mid-call to decrypt the received signal (col. 6 lines 11-20).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu in view of Vij to include information concerning encryption mode and synchronization as taught by Delprat in order to enable users joining an encrypted group call in mid-call to decrypt the received signal.

Regarding claim 55. Sandhu in view of Vij do not show wherein the dedicated protocol and a connection between the mobile device and the network element or between the mobile device and mobile devices of the predetermined group of users is encrypted.

Delprat teaches speech or data is replaced with a signaling message (col. 1 line 60 – col. 2 line 3) so that receiving stations can easily determine if the message comprises speech or data. Delprat further teaches sending information concerning encryption mode and synchronization to enable users joining an encrypted group call in mid-call to decrypt the received signal (col. 6 lines 11-20).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu in view of Vij to include information concerning encryption mode and synchronization as taught by Delprat in order to enable users joining an encrypted group call in mid-call to decrypt the received signal.

4. Claims 27 and 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733 hereinafter Sandhu) in view of Vij et al (2005/0153724 hereinafter Vij) further in view Kennedy, III et al (5,544,225 hereinafter Kennedy).

Regarding claim 27. Sandhu in view of Vij do not show wherein transmission of location related information is triggered by a Voice command or a sound.

Kennedy teaches transmission of location related information is triggered by a voice command or a sound (col. 8 lines 12-14, col. 8 lines 54-56, col. 14 lines 29-31).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu in view of Vij to use voice recognition as taught by Kennedy in order to provide location data.

Regarding claim 31. Sandhu in view of Vij do not show wherein the location determining means includes an inertia navigation arrangement.

Kennedy teaches determining the location of the mobile device using inertia navigation arrangement (col. 7 lines 5-9).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu in view of Vij to use inertia navigation as taught by Kennedy in order to provide location data when GPS reception is difficult due to tunnels and other obstacles blocking the GPS signals.

5. Claims 17 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733 hereinafter Sandhu) in view of Vij et al (2005/0153724 hereinafter Vij) further in view Straub (7,142,900).

Regarding claims 17 and 34. Sandhu in view of Vij do not show transmitting information about the location of the mobile device in a predefined part of the transmission.

Straub teaches pressing button to both transmit a voice communication and to initiate transmission of location data (abstract, col. 2 line 55 – col. 3 line 20). This combines two important functions in one input device to reduce complexity and cost of the unit and also results in the automatic transmission of location data every time the user transmits a voice communication.

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu in view of Vij to transmit information about location of the mobile device in a predefined part of transmission (i.e. part of the voice transmission) as taught by Straub in order to reduce complexity and cost of the device,

Art Unit: 2617

as well as, automatically transmitting the location data every time the user transmits a voice communication.

6. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733 hereinafter Sandhu) in view of Vij et al (2005/0153724 hereinafter Vij) further in view of Grube et al (6,885,874 hereinafter Grube).

Regarding claim 26. Sandhu in view of Vij do not show wherein transmission of location related information is triggered by an external event detected by a sensor of the mobile device.

Grube teaches wherein transmission of location related information is triggered by an external event detected by a sensor of the mobile device (col. 3 lines 45-51).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu in view of Vij to use trigger events as taught by Grube in order to provide the group call with location information as disclosed by Grube (col. 3 lines 18-20).

7. Claims 35-37, 39-40, 43-44 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733 hereinafter Sandhu) in view of Vij et al (2005/0153724 hereinafter Vij) further in view of Kinnunen et al (6,813,501 hereinafter Kinnunen).

Regarding claims 35, 43, and 46. Sandhu teaches a telecommunication system, comprising

at least a first and second mobile device (figure 1),

at least one network element (figure 1),

means to determine the location of the first mobile device (col. 2 lines 36-38) and for the first mobile device **to include a method with which the location of the first mobile device is determined in information about the location of the mobile device,**

wherein the first mobile device includes transmitting means for transmitting speech and/or data to the network element by using a predetermined transmission resource, and to transmit the information about the location of the first mobile device in response to the transmitting of the speech or data by the first mobile device to a predefined group of users, including the second mobile device, and currently connected to the network element (col. 2 lines 34-35, col. 2 lines 58-61, col. 7 lines 35-41, col. 8 lines 11-17).

Sandhu does not show receiving means for receiving a response acknowledgement including the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted.

Vij teaches a method and apparatus for sharing user information in a group communication (title, abstract, paragraphs 0001, 0014) such as user presence and/or location information (paragraph 0003). Vij also shows predefined groups of users (paragraph 0028) and user presence and/or location is announced **through point-to-point alerts or group alerts** (paragraph 0029). Vij also teaches receiving response Ack about the location of at least one of the users of the predefined group to which the information about the location of the mobile device was transmitted (see paragraphs 0030-0033 wherein using **user-initiated point-to-point alerts**, a user presses a PTT

Art Unit: 2617

button on the phone to send the alert to members in a designated group and if a **guaranteed delivery** alert is used, then the user receives an “Ack” alert if the alert is successfully delivered, or a “Nak” if it isn’t so that the user can figure out which members are online, in a meeting, at an airport, etc.). Vij also teaches that other members in a predefined group may also receive the “Ack” so that they to can be informed of presence and/or location of other members in a predefined group (paragraphs 0034-0036).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to use the guaranteed delivery alert as taught by Vij in order to inform the user that presence and/or location information has been successfully received by members of the chat group.

Sandhu in view of Vij do not show **to include a method with which the location of the first mobile device is determined in information about the location of the mobile device.**

Kinnunen teaches wherein the location information includes information regarding a method with which the location was determined (col. 2 lines 22-24, 47, and 58-64, col. 8 lines 62-65).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu in view of Vij to include information regarding a method with which the location was determined as taught by Kinnunen in order to indicate the accuracy of the location data as disclosed by Kinnunen (col. 8 lines 36-38). Regarding to claim 46, Sandhu further teaches taking predefined privacy levels

Art Unit: 2617

assigned to predefined groups or to users belonging to predefined groups are taken into account in the transmission of information (col. 5 lines 53-65).

Regarding claim 36. Sandhu teaches a second network element configured to act as a group management server (col. 8 lines 36-38) and at least two mobile devices configured to participate in a group call (col. 2 lines 34-35 and 58-62, col. 5 lines 35-47).

Regarding claim 37. Vij teaches wherein the at least first and second mobile devices comprise a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, and means to signal a transmission request to the network element on the basis of the detection, wherein the network element is configured to receive the request and allocate transmission turns between the mobile devices on the basis of the requests received from the mobile devices (paragraphs 0001-003, 0014, 0019, 0031).

Regarding claim 39. Sandhu teaches wherein the network element is configured to transmit location information relating to the first mobile device to a group of other devices (col. 2 lines 58-62 and figure 4).

Regarding claim 40. Sandhu teaches wherein the time when the location was determined and the method with which the location was determined are included in the location information (col. 4 line 66 – col. 5 line 2).

Regarding claim 44. Sandhu further teaches the distribution medium comprising a computer readable medium (Figure 2, 17-i), a program storage medium (Column 2, Lines 58-62 and Figure 4), a record medium (Column 2, Lines 38-39), a computer

Art Unit: 2617

readable memory (Column 2, 17-i), a computer readable software distribution package (Column 4, Line 10), or a computer readable compressed software package.

8. Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733 hereinafter Sandhu) in view of Somani et al (6,718,173 hereinafter Somani).

Regarding claim 57. Sandhu teaches a data communication method in a communication system, comprising: transmitting and receiving speech and/or data by means of a plurality of terminals of a user of the communication system (col. 2 lines 58-61), determining the location of each of the plurality of terminals (col. 2 lines 36-38) responsive to the detection of speech and / or data (col. 4 lines 58-62) by each of the plurality of terminals, transmitting, with the speech or data, information about the location of each of the plurality of terminals to a predefined group of users currently connected to a network element of the communication system (col. 2 lines 59-63), taking predefined privacy levels assigned to the plurality of terminals into account in the transmission of the information (col. 5 lines 53-65).

Sandhu does not teach transmitting the location information of a terminal that moves more than a predefined distance.

Somani teaches transmitting the location information of a terminal that moves more than a predefined distance (col. 1 lines 20-25, col. 4 lines 56-59).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the teachings of Sandhu to transmit location information of a

Art Unit: 2617

terminal that moves more than a predefined distance as taught by Somani in order to provide a conventional approach to location reporting (col. 1 lines 21-25).

Allowable Subject Matter

9. Claim 41 is allowed.

Response to Arguments

10. Applicant's arguments with respect to claims 1-15, 17-20, 22-32, 34-40, 43-46, 48-57 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

---(2005/0073964) Schmidt et al is considered pertinent for **group calls** wherein a **caller can send location information in a separate message or embedded with the voice packets** (see all especially paragraph 0131).

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

Art Unit: 2617

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (571) 272-7509, who is available Monday-Thursday, 6:30am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached at (571) 272-7023. The central facsimile phone number for this group is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (571) 272-2600, the 2600 Customer Service telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Centralized Delivery Policy: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the central fax number **(571-273-8300)**.

/Barry W Taylor/
Primary Examiner, Art Unit 2617